



BOARD OF DIRECTORS

METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

MEETING OF THE BOARD OF DIRECTORS

THURSDAY, JUNE 8, 2023

ATLANTA, GEORGIA

MEETING MINUTES

CALL TO ORDER AND ROLL CALL

Chair Thomas Worthy called the meeting to order at 1:35 P.M.

Board Members

Present:

Jim Durrett
William Floyd
Freda Hardage
Al Pond
Kathryn Powers
Thomas Worthy
Valencia Williamson
Jennifer Ide
Jacob Tzegaegbe
Sagira Jones

Board Members

Absent:

Stacy Blakley
Roderick Frierson
Russell McMurry
Rita Scott
Jannine Miller

Staff Members Present:

Collie Greenwood
Ralph McKinney
Raj Srinath
Luz Borrero
Rhonda Allen
Peter Andrews
Carrie Rocha

Also in Attendance: Justice Leah Ward Sears
Kirk Talbott
Jonathan Hunt
Paula Nash
Jacqueline Holland
Tyrene Huff
Kenya Hammond
Phyllis Bryant

PUBLIC COMMENTS (SUBMITTALS VIA TELEPHONE, U.S. MAIL AND IN PERSON)

Ed Williams [via email]
Glenn Hall [In Person]
Mercedes Gayle [In Person]
Jennifer Bentson [In Person]
Anne Marie Kietzmann [In Person]

1. APPROVAL OF THE MINUTES FOR THE MAY 9, 2023, SPECIAL CALLED BOARD MEETING AND THE MAY 11, 2023, BOARD MEETING

Approval of the minutes for the May 9, 2023, Special Called Board meeting and the May 11, 2023, Board meeting

Approval of the minutes for the May 9, 2023, Special Called Board meeting and the May 11, 2023, Board meeting. On a motion by Board Member Williamson, seconded by Board Member Hardage, the motion passed by a vote of 9 to 0 with 9 members present.

2. RESOLUTION TO ADOPT THE FISCAL YEAR 2024 OPERATING AND CAPITAL BUDGETS

Approval of a Resolution to Adopt the Fiscal Year 2024 Operating and Capital Budgets

Approval of a Resolution to Adopt the Fiscal Year 2024 Operating and Capital Budgets On a motion by Board Member Pond, seconded by Board Member Tzegaegbe, the resolution passed by a vote of 9 to 0 with 1 member abstaining and 10 members present.

3. BUSINESS MANAGEMENT COMMITTEE REPORT

Committee Chair James Durrett reported that the Committee met on May 25, 2023, and approved the following resolutions:

Committee Chair Report Business Management

Approval of Business Management Committee Resolutions 3a and 3b. On a motion by Board Member Williamson, seconded by Board Member Pond, the resolution passed by a vote of 9 to 0 with 1 member abstaining and 10 members present.

4. PLANNING & CAPITAL PROGRAMS COMMITTEE REPORT

Committee Member Kathryn Powers reported that the Committee met on May 25, 2023, and approved the following resolutions:

Committee Chair Report Planning & Capital Programs

Approval of Planning & Capital Programs Committee Resolutions 4a, 4b & 4c. On a motion by Board Member Durrett, seconded by Board Member Worthy, the resolution passed by a vote of 9 to 0 with 1 member abstaining and 10 members present.

5. OPERATIONS & SAFETY COMMITTEE REPORT

Committee Chair Al Pond reported that the Committee met on May 25, 2023, and approved the following resolutions:

Committee Chair Report Operations and Safety

Approval of Operations and Safety Committee Resolutions 5a, 5b and 5c. On a motion by Board Member Durrett, seconded by Board Member Williamson, the resolution passed by a vote of 9 to 0 with 1 member abstaining and 10 members present.

6. EXTERNAL RELATIONS COMMITTEE REPORT

Committee Vice Chair Jennifer Ide reported that the Committee met on May 25, 2023.

Committee Report External Relations

No action items

7. AUDIT COMMITTEE REPORT

Committee Vice Chair Freda Hardage reported that the Committee met on May 18, 2023.

Committee Chair Report Audit

No action items

8. RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PROCUREMENT OF DISMANTLING OF CQ312 RAILCARS FOR REEFING, IFB B50346

Approval of a Resolution Authorizing the Award of a Contract for the Procurement Dismantling of CQ312 Railcars for Reefing, IFB B50346

Approval of a Resolution Authorizing Award of a Contract IFB B50346 Dismantling of CQ312 Railcars for Reefing Services. On a motion by Board Member Hardage, seconded by Board Member Ide, the resolution passed by a vote of 8 to 0 with 1 member abstaining and 9 members present.

9. OTHER MATTERS

Chief Legal Counsel Peter Andrews read into the record the following settlement and resolutions emanating from Executive Session:

1. Approval of a Settlement - Lakeebler Johnson v. MARTA and Wayne Eldridge, for \$275,000. On a motion by Board Member Durrett, seconded by Board Member Hardage, the motion passed by a vote of 8 – 0 with 1 member abstaining and 9 members present.
2. Approval of a Resolution Authorizing the Fifth Round of Acquisition Offers and Settlements for Right of Way and Easements in support of the Summerhill Bud Rapid Transit Project, City of Atlanta, Fulton County, GA. On a motion by Board Member Pond, seconded by Board Member Pond, the motion passed by a vote of 8 – 0 with 1 member abstaining and 9 members present.
3. Approval of a Resolution Authorizing the first round of Acquisition Offers and Settlements for Right of Way and Easements in support of the Cleveland Avenue and Metropolitan Avenue Arterial Rapid Transit Project, City of Atlanta, Fulton County, GA. On a motion by Board Member Durrett, seconded by Board Member Hardage, the motion passed by a vote of 8 – 0 with 1 member abstaining and 9 members present.

4. Approval of a Resolution Authorizing the first round of Acquisition Offers and Settlements for Right of Way and Easements in support of the Cleveland Avenue and Metropolitan Avenue Arterial Rapid Transit Project, City of East Point, Fulton County, GA. On a motion by Board Member Durrett, seconded by Board Member Hardage, the motion passed by a vote of 8 – 0 with 1 member abstaining and 9 members present.

10. COMMENTS FROM THE BOARD

None

11. ADJOURNMENT

The Board meeting adjourned at 2:23 P.M.

Respectfully submitted,



Tyrene L. Huff
Assistant Secretary to the Board

YouTube link: <https://www.youtube.com/live/3bciZw4arpc?feature=share>

June 8, 2023 Board Meeting Public Comments

Received via (404) 848-6000, marta.board@itsmarta.com, public@itsmarta.com

Summary: **One customer provided a public comment**

1 – Emails

0 – Voice Messages

1.) Message Date: Wednesday, June 7, 2023

11:10 p.m. (Via MARTA Board Email)

11:10 p.m. (Via Public Email)

Dr. Ed Williams

truthcrushtheearth@gmail.com

Good Afternoon Directors:

My name is Ed Williams. I am chair of the group Concerned Citizens for Effective Government. I am a taxpayer and resident of DeKalb County.

MARTA should provide information regarding its ridership for all its buses, trains, streetcars, and mobility routes on a monthly basis. This information should be available online and included in the annual reports.

I would like to know why MARTA perjured itself in 2021 as it filed in the Georgia Court of Appeals in the case (A21A1001) of Williams v. MARTA that MARTA fully reinstated all services as of April 2021 that had been suspended in April 2020, and also told the Federal Transit Administration that all bus routes had been fully restored to prior COVID-19 services? It was recently reported in the Atlanta Journal-Constitution Online in articles dated April 18, 2023, entitled MARTA to restore 19 more bus routes to regular service Saturday and on May 12, 2023, Proposed MARTA budget would restore bus and rail service.

The MARTA Act section 9 (c) states that the MARTA Board “before making any determinations as to scheduled services or amounts to be charged for such services the Board shall first hold at least one public hearing”. MARTA in April 2020 did not have any such hearings or take any vote before it eliminated half its routes.

MARTA jurisdictional reports that are sent to each county and including Atlanta do not include the total costs of all 4 jurisdictions’ projects, This practice limits the jurisdiction from seeing the full extent of the budget priorities and commitments.

The projects listed in each of the jurisdictional reports are not prioritized by either the construction completion date or funding stream. In addition, there are no reports of projects near completion FY 2023 per requirements in section 17 of the MARTA Act.

MARTA should provide a report to explain how the projects, and bonds are being financed. It appears that all the projects and bonds are rolled up into one pot. MARTA has failed to specify and identify the contracts used to secure the revenue bond debt in its petition and board bond resolution obligations and relationships. The contracts were entered into on the assumption that the United States of America would defray a substantial part of the costs of planning, designing, purchasing, acquiring, constructing, improving, and equipping the System (collectively, the "Costs of the System"); and MARTA has entered into contracts with the United States of America pursuant to which the United States of America has agreed to defray a substantial part of the Costs of the System,

MARTA and the local jurisdictions cannot pledge sales tax revenues without a binding contract approved by the majority of the voters in the local jurisdiction. The 1971 RTCAA expired on August 31, 2021. The bond debt and agreements made between the MARTA and the bondholders are inconsistent with the MARTA Board fiduciary duties and are not in the interest of the citizens and taxpayers of DeKalb, Fulton, Clayton, or the City of Atlanta.

Thank You

Ed Williams' Attachment: (4 Pages)

Entitled – Concerned Citizens for Effective Government Public Comment MARTA June 8 2023

Concerned Citizens For Effective Government

P.O. Box 361626
Decatur, Georgia 30036
(678) 304-7736
8 June 2023

MARTA Board of Directors
Metropolitan Atlanta Rapid Transit Authority
2424 Piedmont Road
Atlanta, Georgia 30324
(404) 848-5000
marta.board@itsmarta.com
public@itsmarta.com
custserv@itsmarta.com

Re: Cost of Projects, Bus Restoration, and Ridership information

From Dr. Ed Williams

Begin Comment

Good Afternoon Directors:

My name is Ed Williams. I am chair of the group Concerned Citizens for Effective Government. I am a taxpayer and resident of DeKalb County.

MARTA should provide information regarding its ridership for all its buses, trains, streetcars, and mobility vans' routes on a monthly basis. This information should be available online and included in the annual reports.

I would like to know why MARTA perjured itself in 2021 as it filed in the Georgia Court of Appeals in the court case (A21A1001) Williams v. MARTA that MARTA fully reinstated all services as of April 2021 that had been suspended in April 2020, and also told the Federal Transit Administration that all bus routes had been fully restored to prior COVID-19 service levels? It was recently reported in the Atlanta

Concerned Citizens For Effective Government

Journal-Constitution Online in articles dated April 18, 2023, entitled [MARTA to restore 19 more bus routes to regular service Saturday](#) and May 12, 2023, [Proposed MARTA budget would restore bus and rail service](#). The MARTA Act section 9 (c) states that the MARTA Board “before making any determinations as to scheduled services or amounts to be charged for such services the Board shall first hold at least one public hearing”. MARTA in April 2020 did not have any such hearings or take any vote before it eliminated half its routes.

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The projects listed in each of the jurisdictional reports are not prioritized by either the construction completion date or funding stream. In addition, there are no reports of projects near completion FY 2023 per requirements in section 17 of the MARTA Act.

MARTA should provide a report to explain how the projects, and bonds are being financed. It appears that all the projects and bonds are rolled up into one pot. MARTA has failed to specify and identify the contracts used to secure the revenue bond debt in its petition and board bond resolution obligations and relationships. The contracts were entered into on the assumption that the United States of America would defray a substantial part of the costs of planning, designing, purchasing, acquiring, constructing, improving, and equipping the System (collectively, the “Costs of the System”); and **MARTA has entered into contracts with the United States of America pursuant to which the United States of America has agreed to defray a substantial part of the Costs of the System,**

MARTA and the local jurisdictions cannot pledge sales tax revenues without a binding contract approved by the majority of the voters in the local jurisdiction. The 1971 RTCAA expired on August 31, 2021. The bond debt and agreements made between the MARTA and the bondholders are inconsistent with the MARTA Board fiduciary duties and are not in the interest of the citizens and taxpayers of DeKalb, Fulton, Clayton, or the City of Atlanta.

Thank You

End of Comment

Concerned Citizens For Effective Government

Ed Williams, Ed.D. Chair

**Concerned Citizens For Effective
Government**

<https://www.facebook.com/groups/ccegov/>

<http://ccegov.blogspot.com>

(678) 304-7736

email: truthcrushtheearth@gmail.com

Twitter: <http://Twitter.com/@truthcrushthee2>

References

MARTA FINANCIAL DOCUMENTS

<https://www.itsmarta.com/reports-and-publications.aspx>

MARTA MEETING DOCUMENTS

<https://www.itsmarta.com/board-documents.aspx>

BOND RESOLUTION authorizing the issuance, sale, execution and delivery of the (i) Metropolitan Atlanta Rapid Transit Authority Sales Tax Revenue Bonds

<https://drive.google.com/file/d/1x0TAUdegpN0rHX1hdILwpxGFmWt1IIPj/view?usp=sharing>

MARTA BOARD SUMMARY MINUTES MARCH 9, 2023

https://www.itsmarta.com/uploadedFiles/More/Board_of_Directors/Board%20Meeting%20Summary%2003092023.pdf

MARTA ACT

https://www.itsmarta.com/uploadedFiles/More/About_MARTA/Marta%20Act%202018%20.pdf

1971 Rapid Transit Contract Assistance Agreement RTCAA Contract

https://www.itsmarta.com/uploadedFiles/More/About_MARTA/RTCAA%20with%2015th%20Amendment.pdf

TAVI

Concerned Citizens For Effective Government

<https://law.justia.com/codes/georgia/2021/title-48/chapter-5c/section-48-5c-1-d-1/>

GEORGIA CONSTITUTION

<https://law.justia.com/constitution/georgia/conart9.html>

SALES TAX RATES

<https://dor.georgia.gov/sales-tax-rates-general>

RESOLUTION APPROVING THE OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2024

WHEREAS, the Metropolitan Atlanta Rapid Transit Authority Act of 1965 (Georgia Laws 1965, p. 2243), as amended (the “Act”) requires that the Metropolitan Atlanta Rapid Transit Authority (the “Authority”) adopt certain operating and capital funds budgets for each fiscal year following the public hearing held on such budgets; and

WHEREAS, the Board of Directors of the Authority (the “Board”) is required to adopt the Fiscal Year 2024 budgets on or before the last day of the current fiscal year following a public hearing and review of said budgets for Fiscal Year 2024; and

WHEREAS, the Operating and Capital Funds Budgets for the fiscal year beginning July 1, 2023 (the “Fiscal Year 2024 Budgets”) have been prepared and presented to the Board; and

WHEREAS, the Board has been requested to approve a resolution to adopt the Fiscal Year 2024 Budgets; and

WHEREAS, the Board has reviewed the proposed Fiscal Year 2024 Budgets and has reviewed estimates of revenues, operating costs (including the utilization of lease and rental income and earnings on principal from the prior fiscal years’ sales tax surpluses to fund operating costs), patronage and other similar factors; and

WHEREAS, the Board has determined, following such review and the public hearings held as required by the Act, that the proposed Operating and Capital Funds Budgets for Fiscal Year 2024 should be adopted;

WHEREAS, in addition, the Board desires to maintain flexibility in the financing of capital improvements undertaken by the Authority from time to time; and

WHEREAS, it may be necessary for the Authority to expend monies from the Authority's existing funds prior to the issuance of revenue bonds issued to finance capital improvements, and the Board desires to put in place necessary steps to preserve the ability of the Authority to issue revenue bonds and to reimburse the Authority for certain expenditures made prior to the issuance of such revenue bonds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority as follows:

- 1) That the proposed Fiscal Year 2024 Budgets, set forth in summary form in Exhibit "A" (which Exhibit "A" and which Fiscal Year 2024 Budgets are attached hereto and by this reference incorporated herein in their entirety), be and hereby are adopted as the Authority's official budgets for Fiscal Year 2024;

- 2) That, as set forth in Exhibit "A", the sums of:
 - i) Seven hundred twelve million three hundred ninety-nine thousand two hundred fourteen dollars (\$712,399,214) for Gross Operating Expenditures;
 - ii) Eight hundred fifty-four million five hundred six thousand six hundred thirty-seven (\$854,506,637) for the Capital Improvement Program Cash Disbursements.

- 3) That the revenues or funds described in the Fiscal Year 2024 Budgets as summarized in Exhibit "A" hereto be and hereby are authorized to be used to pay operating costs of the Transit System together with any other revenues or funds not specifically identified herein that by law may be used for such purposes;

- 4) That the fare structure, as shown in Exhibit "B", will be in effect during Fiscal Year 2024;

- 5) That all daily parking lot and parking decks will be free for patrons parking less than 24 hours, with the exception of the long term overnight parking at College Park, Lindbergh, Lenox, Kensington, Brookhaven/Oglethorpe University, Doraville, Medical Center, Dunwoody, Sandy Springs, and North Springs Stations as shown in Exhibit "B";

- 6) That at the discretion of the General Manager/CEO and pursuant to the terms of The MARTA Act, the Sales tax revenues may be utilized for capital and operating expenses accordingly; and

- 7) That all lawful acts of the General Manager/CEO or chosen delegates heretofore taken or commenced on behalf of the Authority in pursuance of the programs, purposes and objectives reflected in the budgets for Fiscal Year 2024 or any preceding year be and hereby are ratified and affirmed.

Adopted this 8th day of June, 2023

(SEAL)

ATTEST



(Assistant) Secretary



APPROVED AS TO LEGAL FORM:

DocuSigned by:

Peter J. Andrews

A8EF047027084BA...
**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE MODIFICATION IN CONTRACT ACTUAL
AUTHORIZATION FOR PROCUREMENT OF IBM STORAGE INSIGHTS PRO
LICENSE CONTRACT NUMBER RFPP P49133**

WHEREAS, on August 31, 2021, the General Manager entered into a Contract with International Business Machines, Corp. for Procurement of IBM Storage Insights Pro License, Request for Price Proposals P49133; and

WHEREAS, MARTA staff has determined that it is in the best interest of the Authority to extend the contract term and increase the contract value to provide for known changes and additions to the contract; and

WHEREAS, all contractual changes and additions for this modification will follow the Authority's procurement policies and guidelines; and

WHEREAS, the Department of Internal Audit will be requested to perform a cost/price analysis to determine fair and reasonable pricing; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to extend the contract term and increase the authorization for Contract No. P49133 Procurement of IBM Storage Insights Pro License from \$140,650.25 to \$387,892.70.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

A0EF047927B94DA

**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

RESOLUTION TITLE

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF
DIGITAL SIGNAGE DATA ENHANCEMENT RFPP P50232**

WHEREAS, the Authority's Office of Department of Information Technology has identified the need for the Procurement of Digital Signage Data Enhancement RFPP P50232; and

WHEREAS, on April 18, 2022 the Metropolitan Atlanta Rapid Transit Authority duly sent the Request for Price Proposal to the Sole Source Proprietor; and

WHEREAS, it is necessary to procure services to enhance the current Audio Visual Information Systems (AVIS) design services; and

WHEREAS, the Department of Internal Audit has been requested to perform a Price/Cost Analysis to determine fair and reasonable pricing; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Sole Source Contract on substantially the same terms and conditions as contained in the Request for Price Proposal Number P50232, between the Authority and B&C Transit Inc, for the procurement of Digital Signage Data Enhancement in the amount of \$1,312,829.11.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT
FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR BANKHEAD
STATION PLATFORM EXPANSION, AE50292**

WHEREAS, the Metropolitan Atlanta Rapid Transit Authority has identified a need for Architectural and Engineering Design Services for Bankhead Station Platform Expansion; and

WHEREAS, the Authority conducted a qualifications-based firm selection process in accordance with its established policy and procedure for the Procurement of Architectural and Engineering Design Services for Bankhead Station Platform Expansion and;

WHEREAS, notice of the Statement of Qualifications was advertised in the local newspaper of the largest circulation in the Atlanta Metropolitan area once in each of the two (2) weeks prior to the submission deadline; and

WHEREAS, all offerors were given an opportunity to protest the instructions, specification and/or procedures; and

WHEREAS, the Authority Staff has determined that the proposals submitted by Axis Infrastructure, LLC. , represent the most advantageous offer; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is authorized to enter into contracts with Axis Infrastructure, LLC. firm(s): to provide Architectural and Engineering Design Services for Bankhead Station Platform Expansion and is authorized to assign tasks by negotiated work orders that will not exceed the amount of \$6,000,000.00

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF CLAYTON COUNTY SOUTHLAKE BUS RAPID TRANSIT (BRT) STUDY, LETTER OF AGREEMENT NUMBER L50339

WHEREAS, the Authority's Department of Capital Programs and Innovation has identified the need for the procurement of Clayton County Southlake Bus Rapid Transit (BRT) Study, Letter of Agreement Number L50339; and

WHEREAS, On April 6, 2023, Metropolitan Atlanta Rapid Transit Authority sent a request to receive proposals from four (4) firms; and

WHEREAS, On April 21, 2023, the Metropolitan Atlanta Rapid Transit Authority received a proposal from Heath & Lineback Engineers, Inc, Arcadis, US, Inc., and RS&H Inc; and

WHEREAS, it is necessary to procure a concept development study which will include the following key tasks: project management, data collection/existing corridor documentation, and concept development and screening assessment; and

WHEREAS, the Department of Internal Audit will be requested to perform a Price/Cost Analysis to determine fair and reasonable pricing;

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is,

authorized to execute a Letter of Agreement (LOA) on substantially the same terms and conditions as contained in the L50339, between the Authority and Heath & Lineback Engineers, Inc for the procurement of Professional Services for MARTA Capital Programs and Innovation in the amount of \$275,000.00.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

A0EF047027B04DA...

**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Resolution Authorizing Approval of Candler Road Arterial Rapid Transit (ART) alignment running along Memorial Drive, South Columbia Drive, Katie Kerr Drive, Arcadia Avenue and terminating at Avondale Rail Station as the Locally Preferred Alternative (LPA).

WHEREAS, the subsequent 15th Amendment to the Rapid Transit Contract and Assistance Agreement (RTCAA) set forth various capital projects, including Arterial Rapid Transit (ART) service on the Candler Road corridor; and

WHEREAS, DeKalb County and MARTA agreed in the 15th Amendment to the RTCAA that the Candler Road ART Project shall be included on the list of transit operational and service enhancements in DeKalb County and funded under the existing 1-cent sales tax and/or other non-sales tax funding sources; and

WHEREAS, DeKalb County and MARTA agreed in the 15th Amendment to the RTCAA to support the Candler Road corridor with the implementation of the ART project as identified in DeKalb's 2019 Transit Master Plan; and

WHEREAS, Candler Road and Memorial Drive host significant activity centers, and additional economic development potential exists along the corridor; and

WHEREAS, Candler Road and Panthersville Road are significant intra-county travel corridors, identified by the 2019 DeKalb County Transit Master Plan as north-south corridors, and carry the highest number of users beginning and ending their trip within the county; and

WHEREAS, Route 15 is among the highest ridership routes of the MARTA bus service, serving (3,000 pre-pandemic/2,100 post-pandemic) customers, respectively, on an average weekday and warranting higher capacity service in the form of Arterial Rapid Transit; and

WHEREAS, the Candler Road ART Project has gone through the necessary planning, public engagement, and preliminary project development processes and has the requisite local funding required to design and construct; and

WHEREAS, it is the intention of MARTA to design and construct the Candler Road ART project utilizing local funding coming from the existing 1-cent sales tax; and

WHEREAS, the MARTA Board of Directors is the official policy-making entity and will have the ultimate responsibility for decisions affecting the transit component of the program; and

WHEREAS, the affected DeKalb County Commission members are provided notice of the recommended LPA; and

RESOLVED THEREFORE, the MARTA Board of Directors selects the proposed alignment connecting the Georgia State University (GSU)-Decatur campus in Panthersville to the Avondale MARTA Station, with the service trunk centered on the Candler Road corridor in south DeKalb County, extended south to run along Flat Shoals Road and Panthersville Road to terminate at the GSU-Decatur campus, and extended north to run along Memorial Drive, South Columbia Drive, Katie Kerr Drive, Arcadia Avenue, and E Ponce de Leon Avenue to terminate at the Avondale MARTA Station, as the Locally Preferred Alternative (LPA) for Candler Road ART Project, more particularly depicted on the map exhibit and corresponding narrative description in **Exhibit "A"** to this Resolution.

BE IT FURTHER RESOLVED that this LPA is transmitted to the Federal Transit Administration, Atlanta-Region Transit Link Authority, and the Atlanta Regional Commission for incorporation into their programs and plans.

BE IT FURTHER RESOLVED that the MARTA Board of Directors approves the Candler Road ART Project funding plan.

APPROVED AS TO LEGAL FORM:

DocuSigned by:
Peter J. Andrews
A0EF047927B94DA...

**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PROCUREMENT
OF ULTRASONIC TESTING FOR MARTA RAIL SYTEM, IFB B50102**

WHEREAS, the Authority's Office of Rail Maintenance has identified the need for the Procurement of Ultrasonic Testing for MARTA Rail System, Invitation for Bids Number B50102; and

WHEREAS, on December 13, 2022, the Metropolitan Atlanta Rapid Transit Authority duly sent Notice of the Invitation for Bids to potential Bidders; and

WHEREAS, notice of the said Invitation for Bids was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to opening bids; and

WHEREAS, all Bidders were given an opportunity to protest the bid instructions, specifications, and/or procedures; and

WHEREAS, on January 27, 2023 at 2:00 p.m., local time, three (3) bids were publicly opened and read aloud; and

WHEREAS, lowest bid submitted by Pro-Traxx, Inc. was determined to be non-responsible; and

WHEREAS, the second lowest bid submitted by Smith-Emery Laboratories, is responsive and responsible and the bidder is capable of performing the Contract.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Invitation for Bids Number B50102, Procurement of Ultrasonic Testing for MARTA Rail System between the Authority and Smith-Emery Laboratories, in the amount of \$850,000.00.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
A0EF047927B94DA...

**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF
COMMERCIAL DOORS AND INSTALLATION UTILIZING THE FEDERAL GENERAL
SERVICES ADMINISTRATION CONTRACT, NUMBER 47QSWA20D002B
RFPP P50202**

WHEREAS, the Authority's Office of Facilities has identified a need for the installation, repair, and preventative maintenance of commercial-grade doors at MARTA facilities; and

WHEREAS, the Authority's staff has determined that the installation, repair, and preventative maintenance of commercial-grade doors at MARTA facilities may be purchased utilizing the Federal General Services Administration (GSA); and

WHEREAS, Section 14(l) of the MARTA Act permits the Authority to purchase without competitive bidding, any goods, supplies, equipment, other property, or services from any vendor who, at the time of such purchase, has in effect a contract or schedule for the State of Georgia or the United States Government, provided that such purchase is made pursuant to the price, terms and conditions of such contract or schedule and the Authority receives all the benefits thereof.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract utilizing the Federal General Services Administration (GSA) Contracts that are valid at the time the Authority procures its installation, repair, and preventative maintenance of commercial-grade doors at MARTA facilities under the

Authority Contract Number P50202 in the amount of \$2,000,000.00. The Authority shall utilize the (GSA) Contract and will renewals will be in accordance the GSA contract schedule.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
A0EF047927B94DA...

**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF
BUS FASTENERS, IFB B50207**

WHEREAS, the Authority's Office of Bus Maintenance has identified the need for the Procurement of Bus Fasteners, Invitation for Bids Number B50207; and

WHEREAS, on November 18, 2022, the Metropolitan Atlanta Rapid Transit Authority duly sent Notice of the Invitation for Bids to potential Bidders; and

WHEREAS, notice of the said Invitation for Bids was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to opening bids; and

WHEREAS, all Bidders were given an opportunity to protest the bid instructions, specifications, and/or procedures; and

WHEREAS, on December 20, 2022 at 2:00 p.m., local time, three (3) bids were publicly opened and read aloud; and

WHEREAS, the lowest bid submitted by Wurth USA, Inc., is responsive and responsible and the bidder is capable of performing the Contract.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Invitation for Bids Number B50207, Procurement of Bus Fasteners between the Authority and Wurth USA, Inc., in the amount of \$2,909,379.00.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF
DISMANTLING OF CQ312 RAILCARS FOR REEFING, IFB B50346**

WHEREAS, the Authority's Office of Rail Maintenance has identified the need for the Procurement of Dismantling of CQ312 Railcars for Reefing, Invitation for Bids Number B50346; and

WHEREAS, on May 5, 2023, the Metropolitan Atlanta Rapid Transit Authority duly sent Notice of the Invitation for Bids to potential Bidders; and

WHEREAS, notice of the said Invitation for Bids was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to opening bids; and

WHEREAS, all Bidders were given an opportunity to protest the bid instructions, specifications, and/or procedures; and

WHEREAS, on June 1, 2023, at 2:30 p.m., local time, two (2) bids were publicly opened and read aloud; and

WHEREAS, the second lowest bid submitted by Kinkisharyo International, LLC, is responsive and responsible and the bidder is capable of performing the Contract.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Invitation for Bids Number B50346, Procurement of Dismantling of CQ312 Railcars for Reefing between the Authority and Kinkisharyo International, LLC., in the amount of \$2,107,500.00.

Approved as to Legal Form:



**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Resolution Authorizing the fifth round of Acquisition Offers and Settlements for Right of Way and Easements in support of the Summerhill Bus Rapid Transit Project, City of Atlanta, Fulton County, GA

WHEREAS, pursuant to the MARTA Act of 1965, as amended (“MARTA Act”), MARTA exists for purposes of planning, designing, leasing (as lessee), purchasing, acquiring, holding, owning, constructing, improving, equipping, financing, maintaining and administering a rapid transit system within the metropolitan area, and operating same; and

WHEREAS, the Metropolitan Atlanta Rapid Transit Authority’s (“MARTA”) operations staff has identified a public need to acquire property within the City of Atlanta (“City”), Fulton County, Georgia and the City is within the territorial jurisdiction of MARTA;

WHEREAS, MARTA will expand its rapid transit system by developing, maintaining and operating a Bus Rapid Transit Project (“Summerhill BRT”) located within the City; and

WHEREAS MARTA Planning and Capital Programs has identified that certain real property located adjacent to the Summerhill BRT corridor, City of Atlanta, Fulton County, State of Georgia (“Property”) for acquisition to facilitate the Summerhill BRT project; and

WHEREAS, MARTA and the City executed a Rapid Transit Contract & Assistance Agreement as amended and a Project-based Agreement executed on March 25, 2022 whereby the parties agreed to coordinate their efforts regarding the expansion of MARTA’s rapid transit system, including, without limitation, the City agreeing to work with MARTA and, upon the request of MARTA, to exercise its eminent domain power to acquire any property rights and interests necessary for MARTA to carry out its purpose as stated in the MARTA Act; and

WHEREAS, upon the City’s approval, MARTA will submit offers to the fee owner(s) of the Properties in the amount of the appraised values. If negotiations for fair and equitable purchase terms are not successful, then MARTA will request the City initiate condemnation proceedings.

BE IT RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that in accordance with policies and procedures previously adopted by the Board, the acquisition of those real properties known as MARTA Parcels B102, B119, B132, B138, B150A, B159, B183, B184, B189 as identified on Exhibit A attached hereto and incorporated herein by the reference (“Required Properties”), are hereby determined to be necessary for the construction, operation and maintenance of the Authority's bus rapid transit system and hereby is approved.

BE IT FURTHER RESOLVED THEREFORE, that the General Manager/CEO or his delegate is hereby authorized to offer and execute Acquisition Agreements and/or other settlements with the fee simple owner(s) for the acquisitions of the Properties and in the event a mutual agreement or settlement is unsuccessful to request the City of Atlanta to initiate condemnation proceedings.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews 6/6/2023
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Summerhill Bus Rapid Transit
Round Five Acquisitions
Exhibit A

MARTA Parcel	Area Needed (Sq. Ft.)	Area (acres)	Acquisition Type	\$ per SF	Full or Partial Acquisition	Initial MARTA Offer (EJC)
B102	279.00	0.0064	Permanent Need	\$40.00	Partial	\$11,160.00
B102	1,003.00	0.0230	TCE	\$40.00	10%	\$6,018.00
B102			Consequential Damages			\$30,000.00
B102			Site Improvements			\$558.00
B119	385.00	0.00884	TCE	\$50.00	10%	\$962.50
B132	220.00	0.00505	Permanant Need	\$48.00	Partial	\$10,560.00
B132			Site Improvements			\$731.00
B132	419.00	0.0096	TCE	\$48.00	10%	\$1,005.60
B138	67.00	0.0015	Permanent Need	\$49.00	Partial	\$3,283.00
B138			Site Improvements			\$495.00
B150A	34.00	0.00078	TCE	\$210.00	10%	\$357.00
B159	15.00	0.00034	DWE	\$35.00	0	\$0.00
B183	28.00	0.00064	TCE	\$65.00	15%	\$273.00
B184	4.00	0.00009	TCE	\$65.00	15%	\$39.00
B189	55.00	0.00126	Chg to Permament Easement	\$35.00	Partial	\$1,925.00

\$67,367.10

Less:Amts presented for prior approval of revisited parcels Rounds 1, 2, 3 & 4 **(\$48,557.00)**

\$18,810.10

Resolution Authorizing the first round of Acquisition Offers and Settlements for Right of Way and Easements in support of the Cleveland Avenue and Metropolitan Avenue Arterial Rapid Transit Project, City of Atlanta, Fulton County, GA

WHEREAS, pursuant to the MARTA Act of 1965, as amended (“MARTA Act”), MARTA exists for purposes of planning, designing, leasing (as lessee), purchasing, acquiring, holding, owning, constructing, improving, equipping, financing, maintaining and administering a rapid transit system within the metropolitan area, and operating same; and

WHEREAS, the Metropolitan Atlanta Rapid Transit Authority’s (“MARTA”) operations staff has identified a public need to acquire property within the Cities of Atlanta and East Point (collectively, the “Cities”), Fulton County, Georgia and the Cities are within the territorial jurisdiction of MARTA;

WHEREAS, MARTA is expanding its rapid transit system by developing, maintaining and operating a bus arterial rapid transit project (“Cleveland-Metropolitan ART”) located within the Cities; and

WHEREAS MARTA Planning and Capital Programs has identified that certain real property located adjacent to or within the Cleveland-Metropolitan ART corridor in the City of Atlanta, Fulton County, State of Georgia (“Property”) for acquisition to facilitate the construction and operation of the Cleveland-Metropolitan ART project; and

WHEREAS, MARTA and the City of Atlanta executed a Rapid Transit Contract & Assistance Agreement as amended whereby the parties agreed to coordinate their efforts regarding the expansion of MARTA’s rapid transit system, including, without limitation, the City of Atlanta agreeing to work with MARTA and, upon the request of MARTA, to exercise its eminent domain power to acquire any property rights and interests necessary for MARTA to carry out its purpose as stated in the MARTA Act; and

WHEREAS, upon the City of Atlanta’s approval, MARTA will submit offers to the fee owner(s) of the Properties in the amount of the appraised values. If negotiations for fair and equitable purchase terms are not successful, then MARTA will request the City of Atlanta initiate condemnation proceedings.

Cleveland Avenue-Metropolitan Avenue Arterial Rapid Transit
 Round One Acquisitions
 Exhibit A

MARTA Parcel #	Area Needed (Sq. Ft.)	Acquisition Type	Value PSF	Initial MARTA Offer (EJC)
B218	161.53	TCE @ 10%	\$30.00	\$242.30
B219	173.01	Permanent Need	\$30.00	\$5,190.30
B219	341.86	TCE @ 10%	\$30.00	\$512.79
B222	246.64	Permanent Need	\$30.00	\$7,399.20
B222	339.86	TCE @ 10%	\$30.00	\$509.79
B224	182.74	Permanent Need	\$30.00	\$5,482.20
B224	618.57	TCE @ 10%	\$30.00	\$927.86
B225	265.30	Permanent Need	\$30.00	\$7,959.00
B225	546.09	TCE @ 10%	\$30.00	\$819.14
B227	163.37	TCE @ 10%	\$30.00	\$245.06
B228	191.23	Permanent Need	\$30.00	\$5,736.90
B228	329.34	TCE @ 10%	\$30.00	\$494.01
B230	413.72	TCE @ 10%	\$30.00	\$620.58
B231	462.96	TCE @ 10%	\$30.00	\$694.44
B233	53.75	Permanent Need	\$45.00	\$2,418.75

Atlanta Cleveland Avenue \$39,252.30

Cleveland Avenue-Metropolitan Avenue Arterial Rapid Transit
 Round One Acquisitions
 Exhibit A (pg 3)

MARTA Parcel #	Area Needed (Sq. Ft.)	Acquisition Type	Value PSF	Initial MARTA Offer (EJC)
B249	283.46	Permanent Need	\$30.00	\$8,503.80
B249	347.48	TCE @ 10%	\$30.00	\$521.22
B250	212.00	Permanent Need	\$30.00	\$6,360.00
B250	329.15	TCE @ 10%	\$30.00	\$493.73
B251	15.72	TCE @ 10%	\$30.00	\$23.58
B252	257.69	Permanent Need	\$30.00	\$7,730.70
B252	336.87	TCE @ 10%	\$30.00	\$505.31
B253	26.24	Permanent Need	\$45.87	\$1,203.63
B253	240.84	TCE @ 10%	\$45.87	\$552.37
B254	235.31	Permanent Need	\$30.00	\$7,059.30
B254	558.26	TCE @ 10%	\$30.00	\$837.39
B255	279.55	Permanent Need	\$30.00	\$8,386.56
B255	803.64	TCE @ 10%	\$30.00	\$1,205.46
B256	235.12	Permanent Need	\$30.00	\$7,053.60
B256	333.01	TCE @ 10%	\$30.00	\$499.52
B257	231.29	Permanent Need	\$30.00	\$6,938.70
B257	337.97	TCE @ 10%	\$30.00	\$506.96
B258	225.89	Permanent Need	\$30.00	\$6,776.70
B258	346.65	TCE @ 10%	\$30.00	\$519.98
B259	242.94	Permanent Need	\$30.00	\$7,288.20
B259	587.85	TCE @ 10%	\$30.00	\$881.78
B260	226.45	Permanent Need	\$30.00	\$6,793.50
B260	615.97	TCE @ 10%	\$30.00	\$923.96

Atlanta Metropolitan Avenue \$81,565.91

Resolution Authorizing the first round of Acquisition Offers and Settlements for Right of Way and Easements in support of the Cleveland Avenue and Metropolitan Avenue Arterial Rapid Transit Project, City of East Point, Fulton County, GA

WHEREAS, pursuant to the MARTA Act of 1965, as amended (“MARTA Act”), MARTA exists for purposes of planning, designing, leasing (as lessee), purchasing, acquiring, holding, owning, constructing, improving, equipping, financing, maintaining and administering a rapid transit system within the metropolitan area, and operating same; and

WHEREAS, the Metropolitan Atlanta Rapid Transit Authority’s (“MARTA”) operations staff has identified a public need to acquire property within the Cities of Atlanta and East Point (collectively, the “Cities”), Fulton County, Georgia and the Cities are within the territorial jurisdiction of MARTA;

WHEREAS, MARTA is expanding its rapid transit system by developing, maintaining and operating a bus arterial rapid transit project (“Cleveland-Metropolitan ART”) located within the Cities; and

WHEREAS MARTA Planning and Capital Programs has identified that certain real property located adjacent to or within the Cleveland-Metropolitan ART corridor in the City of East Point, Fulton County, State of Georgia (“Property”) for acquisition to facilitate the construction and operation of the Cleveland-Metropolitan ART project; and

WHEREAS, MARTA and the City of East Point agreed to coordinate their efforts regarding the expansion of MARTA’s rapid transit system, including, without limitation, the City of East Point agreeing to work with MARTA and, upon the request of MARTA, to exercise its eminent domain power to acquire any property rights and interests necessary for MARTA to carry out its purpose as stated in the MARTA Act; and

WHEREAS, upon the City of East Point’s approval, MARTA will submit offers to the fee owner(s) of the Properties in the amount of the appraised values. If negotiations for fair and equitable purchase terms are not successful, then MARTA will request the City of East Point initiate condemnation proceedings.

BE IT RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that in accordance with policies and procedures previously adopted by the Board, the acquisition of those real properties known as MARTA Parcel Numbers B203, B205, B206, B207, B209, B210, B211, B212, B213, B214, B215, B216, B270, B271 as more specifically identified on Exhibit A attached hereto and incorporated herein by the reference (“Required Properties”), are hereby determined to be necessary for the construction, operation and maintenance of the Authority's bus rapid transit system and hereby is approved.

BE IT FURTHER RESOLVED THEREFORE, that the General Manager/CEO or his delegate is hereby authorized to offer and execute Acquisition Agreements and/or other settlements with the fee simple owner(s) for the acquisitions of the Properties and in the event a mutual agreement or settlement is unsuccessful to request the City of East Point to initiate condemnation proceedings.

Approved as to Legal Form:

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Peter J. Andrews 6/6/2023
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Cleveland Avenue-Metropolitan Avenue Arterial Rapid Transit
Round One Acquisitions
Exhibit A

MARTA Parcel #	Area Needed (Sq. Ft.)	Acquisition Type	Value PSF	Initial MARTA Offer (EJC)
B203	296.17	Permanent Need	\$30.00	\$8,885.10
B203	292.92	TCE @ 10%	\$30.00	\$439.38
B205	110.01	Permanent Need	\$30.00	\$3,300.30
B205	261.59	TCE @ 10%	\$30.00	\$392.39
B206	67.71	TCE @ 10%	\$60.00	\$203.13
B207	271.16	Permanent Need	\$30.00	\$8,134.80
B207	332.50	TCE @ 10%	\$30.00	\$498.75
B209	250.57	Permanent Need	\$30.00	\$7,517.10
B209	302.29	TCE @ 10%	\$30.00	\$453.44
B210	96.35	Permanent Need	\$30.00	\$2,890.50
B211	76.81	Permanent Need	\$30.00	\$2,304.30
B212	271.11	Permanent Need	\$30.00	\$8,133.30
B212	404.42	TCE @ 10%	\$30.00	\$606.63
B213	288.84	Permanent Need	\$30.00	\$8,665.20
B213	426.30	TCE @ 10%	\$30.00	\$639.45
B213	1.00	DWE	-	\$500.00
B214	233.52	Permanent Need	\$30.00	\$7,005.60
B214	212.51	TCE @ 10%	\$30.00	\$318.77
B215	58.43	Permanent Need	\$30.00	\$1,752.90
B215	100.78	TCE @ 10%	\$30.00	\$151.17
B216	296.99	Permanent Need	\$30.00	\$8,909.70
B216	506.29	TCE @ 10%	\$30.00	\$759.44
B270	245.65	Permanent Need	\$30.00	\$7,369.47
B271	245.62	Permanent Need	\$30.00	\$7,368.60

East Point Cleveland Avenue \$87,199.40